UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/C.12/1993/SR.7
3 June 1993

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Eighth session

SUMMARY RECORD OF THE 7th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 18 May 1993, at 3 p.m.

Chairperson: Mr. ALVAREZ VITA

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GE.93-16595 (E)

The meeting was called to order at 3.15 p.m.

CONSIDERATION OF REPORTS (agenda item 5) (continued)

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (CONTINUED)

Islamic Republic of Iran (E/1990/5/Add.9)

1. At the invitation of the Chairperson, Mr. Tabatabaee, Mr. Fannizadeh, Mr. Shiradi, Mr. Masjed-Jamei, Mr. Hosseini, Mr. Khirouzi and Mr. Nasseri (Islamic Republic of Iran) took places at the Committee table.

2. Mr. TABATABAEE (Islamic Republic of Iran), introducing the initial report of Iran on articles 6-12 and 15 of the Covenant (E/1990/5/Add.9), began by reminding members that two years previously, in the context of consideration of the initial report on articles 13 to 14 of the Covenant (E/1982/3/Add.43), they had requested additional information regarding the situation of women in Iran. The information requested was now available, in the form of an annex to the present report.

3. The report had been drawn up by the Ministries of Labour and Social Affairs, Justice, Health and Culture, with the Ministry of Foreign Affairs playing a coordinating role in its preparation. The Iranian delegation comprised prominent officials from the various Ministries involved, who had come before the Committee to present their case and deal with members' questions concerning the three areas of labour, health and culture covered by the report.

4. Mr. FANNIZADEH (Islamic Republic of Iran), introducing the section of the report dealing with articles 6 to 9 of the Covenant, on which no written questions had been submitted, briefly reviewed those developments regarding labour questions not covered in the report itself. The basis for all labour legislation was the Constitution, in which the right to work was explicitly emphasized. Article 28 of the Constitution declared that the Government must, with due consideration of the needs of society for different kinds of work, provide every citizen with the opportunity to work and create equal conditions for obtaining it. Elsewhere, the Constitution stipulated that the responsibility of the Government was to ensure conditions and opportunities of employment for everyone, with a view to achieving full employment. Needless to say, the Government also had a role to play in macroeconomic and microeconomic planning and interventions, and in the provision of necessary services.

5. A key notion underlying his country's approach to labour issues was that the worker was not simply a factor of production: human dignity was also of paramount importance; a human dignity was inextricably bound up with the right to work, the right to work under just conditions, and the right to work in employment of one's own choosing. Human beings were both a means and an end in the development process; and social and economic development were inextricably linked, both in the first and in the second five-year development plans. Rather than encroaching on the social rights and welfare of the

workers, his country's economic policies and objectives were geared to investment in and protection of human resources, and to the education, health and medical care of those resources.

6. Of course, unemployment was also a fact of life. As a result of the war, which had brought low investment and high inflation in addition to damage to infrastructure, the rate of unemployment had risen to 15 per cent. However, in the four years since the end of the war, that rate had fallen to 10 per cent. Although the desired objective in that regard was far from being achieved, the trend was thus positive. Under the current plan, investment was being encouraged and economic equilibrium established in the various markets. The prominent role of the Government in economic activity necessitated by the war was now being reduced, with many activities handed over to the private sector. Meanwhile, emphasis was placed on maintaining existing measures for the protection of the workforce during that transitional period.

7. The Ministry of Labour and Social Affairs had more than 110 job placement centres located country-wide, through which it sought to match supply and demand. Its recent activities included a highly successful pilot project to encourage self-employment and work in the home, targeted on persons wishing to start up businesses who lacked the necessary capital. Arrangements had been made for those persons to have access to credit from the banking system, and they were also provided with work premises and outlets in which to sell their products. In view of the success of the project, it was now intended to extend it to other parts of the country. Credit facilities were also being made available to job seekers.

8. With regard to occupational and technical training, the Ministry had an excellent record of achievement in recent years. It had established a vast network of training centres, and also supervised a number of privately run centres. Mobile units had also been set up, to bring training to villages and remote areas. Social protection measures and services provided by the Ministry included payments to alleviate the effects of inflation, sports facilities, and health and medical care facilities in large industrial units and zones.

9. An important function of the Ministry was the establishment and supervision of just and favourable work conditions. The Ministry had a country-wide network of labour inspectors whose task was to ensure compliance with labour regulations. In that context, he drew attention to the role of the new Labour Code which had come into force two years previously, superseding a Code which had been rendered obsolete by the victory of the Islamic revolution. The new Code had been drafted by experts from the Ministry of Labour and Social Affairs, after a thorough review of international labour conventions and recommendations (including conventions which his country had not ratified), and of other countries' labour codes. A striking feature of the new Code was the extent to which it reflected a social consensus, the result of extensive discussions between all the social partners over a period of years.

10. The new Labour Code truly constituted a new chapter in industrial relations, setting forth many new measures for the protection of workers and employers. New provisions were introduced for the settlement of industrial

disputes, through arbitration by a tripartite body consisting of representatives of workers, employers and Government. Employers no longer had the right unilaterally to dismiss employees; job security was thus guaranteed. Article 21 of the Code clearly defined and limited the conditions for termination of a job contract. Other features of the Code included new provision for educational leave with payment, other specified paid leave and rest leave (increased from 12 to 30 days annually), and for reduced working hours. Article 38 of the Code provided for equal remuneration for equal work without discrimination on grounds such as sex, race, age, ethnic origin or political and religious beliefs. Provision was made for sanctions to guarantee the proper application of the Code. The minimum age for employment was raised from 12 to 15 years, and some restrictions were imposed on the type and conditions of work to be undertaken by persons between the ages of 15 and 18. The new Code also envisaged a tripartite body, the Supreme Labour Council, responsible for determining the minimum wage and for adopting the directives and circulars necessary to secure implementation of the Code's provisions.

11. Mr. MASJED-JAMEI (Islamic Republic of Iran), referring to his country's general cultural policies and objectives, welcomed the opportunity for an exchange of views between the Committee and his Government. Members of the Committee were no doubt familiar with his country's rich cultural history and current cultural background, as well as the considerable importance which Iranian culture had had in the world, particularly in the fields of philosophy, literature and art.

12. The Islamic Republic of Iran had built its foundations on the will of the majority of its population to ensure a sound and cohesive society which had its roots in the sublime nature of human values and the tenets of Islam, bearing in mind that where attempts were made in a country to orient culture away from its people, the result was confusion and lack of cohesion. Cultural policies in Iran were, therefore, recognized as embodying the guiding principles for individual and social activities.

13. In his country it was recognized that the Islamic revolution was first and foremost a cultural revolution. The religious viewpoint consequently dominated all aspects of life. The immortality and dignity of man and his capacity to determine his own fate, man's divine features and dignity as his sole source of development, his equality in creation irrespective of aspects such as colour or race, the spiritual and material aspects of his individual and social development, his goodwill and quest for an ideal, his power of faith in aspiring to spiritual values and moral behaviour, his capacity to develop his faculties and seek justice and knowledge in a society based on Islamic teachings, the purity of his spiritual values and the moral codes of Islamic society, and, lastly, his belief in his role in purifying the human environment to eliminate the causes of atheism, corruption, prostitution and despotism were all essential aspects of the cultural policies of the Islamic Republic of Iran.

14. The Iranian Constitution enshrined the principles of such policies. Article 2 placed emphasis on the importance of using and developing science, knowledge and human experience. Article 3 further emphasized the importance of strengthening knowledge in all fields - scientific, technical, cultural and

Islamic, and of cooperation of the people in determining their political, economic, social and cultural future. Article 20 stated that all individuals, men and women, were equal to enjoy all human, political, economic, social and cultural rights within the framework of the Islamic codes. Article 24 provided for the freedom to publish any views which did not violate Islamic principles. Article 30 required the Government of the Islamic Republic of Iran to provide free primary and secondary education and to provide higher education up to a level of self-sufficiency.

15. Official cultural policy-making and the guidance of cultural activities in Iran were structured through: government agencies and ministries, including the Supreme Cultural Council; the Ministry of Islamic Guidance; the Ministry of Culture and Higher Education; the Ministry of Education and Training, responsible for primary and secondary education, and the Ministry of Health and Medical Education. Other bodies with cultural responsibilities included the Council of Youth, the Supreme Council of Nomads, the Islamic Centre for Farsi Language and Literature and the Centre for Science.

16. Mr. TABATABAEE (Islamic Republic of Iran) expressed regret that the representative of the Ministry of Health of his country was not yet present to reply directly to questions which members of the Committee might wish to put. Accordingly, he himself would make a brief presentation on the health situation in his country. In addition, a document providing details of health status and matters would be made available for distribution to members of the Committee.

17. Describing the health network in his country, he said that the smallest independent unit was situated at the district level, covering a rural or urban population of 100,000 to 300,000. In rural areas, health houses, each staffed by a male and a female community health worker, provided first referral facilities for some 500 to 3,000 persons in or around the village in which each health house was situated. Community health personnel were trained in accordance with the principles of primary health care. Another important function of health houses was to maintain accurate family files for all households in their catchment areas and to encourage families to participate in health activities. The second level of health services was the rural health centre, usually covering some five health houses, which treated patients referred by health houses and performed clinical laboratory tests as well as providing logistic support to health houses. Personnel at each centre comprised a physician and health technicians.

18. Further information on health care policies and systems was contained in paragraphs 110 to 129 of his country's report (E/1990/5/Add.9). Additional questions from members of the Committee on the matter would be transmitted to the Ministry of Health and the answers would be provided in his country's next report.

19. Mr. WIMER ZAMBRANO asked whether the list of issues contained in document E/C.12/1993/WP.11, the function of which was better to focus the discussion between the State party and the Committee, had been transmitted to the Government of the Islamic Republic of Iran and whether the delegation of that country could confirm whether replies, oral or written, would be forthcoming. In view of the fact that the delegation of the Islamic Republic

of Iran was still waiting for some of its members, he asked if their arrival was imminent, and whether it might not be appropriate to await the next meeting of the Committee in order to complete the delegation's presentation to the Committee.

20. Mr. TIKHONOV (Secretary of the Committee) confirmed that document E/C.12/1993/WP.11 had been transmitted to the Permanent Mission of the Islamic Republic of Iran in February 1993.

21. Mr. TABATABAEE (Islamic Republic of Iran) reiterated that the list of issues had been distributed to the relevant Ministries. His delegation was prepared to answer the questions addressed to the Ministry of Culture. Articles 13 and 14 of the Covenant had been covered by the initial report (E/1982/3/Add.43) and no issues had been raised that concerned the Ministry of Labour. Any further issues would be dealt with in his country's next report. As far as the absence of the representative of the Ministry of Health was concerned, owing to which he had had to present the health report himself, it was unlikely that the representative would be present on the following day. The other representatives, however, were prepared to answer questions put by members.

22. Mrs. BONOAN-DANDAN supported Mr. Wimer Zambrano's suggestion that questions should be deferred until the delegation was complete.

23. Mr. SIMMA said that the Committee's timetable precluded that option. If the representative who could deal with articles 10 to 12 came the following day, members could put their questions to him then. Meanwhile, they had already had a presentation on articles 6 to 9 and article 15, so it would be sensible to put their questions on those articles immediately.

24. Mr. GRISSA pointed out that in a situation where a delegation had for once attended it would be foolish to defer asking questions because one representative was absent.

25. The CHAIRPERSON said that he believed that the Committee concurred with Mr. Grissa's view and invited members to put their questions.

26. Mr. MUTERAHEJURU requested clarification on a point of order. He wished to know whether he had understood correctly that the Committee's list of issues had been sent to the Mission of the Islamic Republic of Iran but that no replies had been received. Would the delegation therefore be answering the issues on the list or would they be taking new questions?

27. Mr. TABATABAEE (Islamic Republic of Iran) said that replies to the Committee's written list of issues were ready in Farsi. The Deputy Minister of Culture would read them out. No written questions had been received on articles 6 to 9, however.

28. Mr. SIMMA sought clarification as to whether answers were available to the issues raised by the pre-sessional working group on articles 10, 11, 12 and 15.

29. Mr. TABATABAEE (Islamic Republic of Iran) said that his delegation included the Deputy Minister of Culture and representatives from the Ministry of Labour. There was no reason why they should not answer the issues raised by the pre-sessional working group. The only area on which they were not in a position to answer was health.

30. Mrs. JIMENEZ BUTRAGUEÑO said that the report by the State party (E/1990/5/Add.9), the working paper produced by the pre-sessional working group (E/C.12/1993/WP.11) and reports by non-governmental organizations, taken together, made up a useful picture of the situation in the Islamic Republic of Iran. She wished to know how far the equal right to work extended. She wondered whether it applied to Baha'is, Kurds and women. She asked whether there were any women judges, for example, or whether there were likely to be in the near future. She pointed out that whereas in 1961 it had seemed out of the question in Spain, by 1963 the first woman judge had been appointed; women were as capable of making good judges as men. Under article 8, she requested further information on the freedom to join or establish trade unions in Iran. Under article 9, she wished to know whether there was any discrimination on pensions against people who were not Muslims; she had in mind particularly Baha'is and Kurds. She also asked whether Baha'is were able to attend all Iranian schools, from the primary level up, and indeed whether they could admit to being Baha'is. She queried the status of non-believers: whether they could admit to being so and whether it would be held against them. Finally, she asked whether women, Baha'is and Kurds were entitled to register for all university courses without exception, particularly medicine and law.

31. Mrs. BONOAN-DANDAN said that she wished to put questions relating to articles 10, 11 and 12, and she hoped that replies would be forthcoming at the following meeting. Her first question related to the role and scope of participation by the private sector in the framework of the first five-year economic, social and cultural development plan of the Islamic Republic of Iran, and she would like to know how the public and private sectors hoped to harmonize their efforts and whether the operation of the private sector was compatible with Islamic doctrine. Secondly, she asked for detailed information on rates of inflation, unemployment and underemployment; if possible she wished to see a breakdown of the statistics according to sex. Thirdly, she asked what the Government's national housing strategy was, and what steps it was taking to ensure housing rights in the light of allegations by a non-governmental organization, quoting the New York Times, that local authorities throughout the country were increasingly attempting to evict squatters by force. Fourthly, with reference to the annex to the report, dealing with the situation of women in Iran, she noted the mention of "Muslim women's progress and development ... and their participation in the political, social and cultural decisions of the system of the Islamic Republic of Iran". Commenting that there were no women in the Iranian delegation, she drew the Committee's attention to a report by the Special Representative of the Commission on Human Rights, dated 28 January 1993, on the human rights situation in the Islamic Republic of Iran (E/CN.4/1993/41). According to its author, Mr. Reynaldo Galindo Pohl, women were not permitted to study engineering, agriculture, mining or metallurgy, nor to become magistrates (para. 312). At university level they were excluded from 91 specific subjects, including 55 technology specialities and 7 natural science subjects. They had access to only 10 out of 35 fields of study in the arts. Moreover,

women needed their husbands' permission to work or travel abroad. Also, the value of any inheritance they received was reduced to half that received by men. She also drew attention to the fact that women were obliged to wear Islamic dress and could be arrested for non-compliance with that rule. They were obliged to sign a statement that they would not offend again and would otherwise be subject to heavy punishment, sometimes flogging. She also raised the issue of "temporary marriage". According to an article in Social Research, published by the New School of Research, New York, in Spring 1992, it was a matter which was creating much disagreement in the country. A practice dating back to pre-Islamic Arabia, it involved an agreement, often verbal, between a man who might be married or unmarried and a woman who was a virgin, divorced or widowed to be married for a specific period of any length between one hour and 99 years. A bride-price was agreed, but the man was not obliged to provide financial support since his first priority was his legal wife or wives. A man could hold several temporary marriage contracts at the same time, in addition to the four wives he was permitted under Islamic law. Women, meanwhile, could enter into only one contract at a time. She pointed out that it was a case where popular culture was diametrically opposed to religion, fitting immorality into a legal framework, not to mention the likely psychological, moral and hygienic problems that could arise. There appeared to be no religious objection to temporary marriages, but they conflicted with the condition that a woman had to be a virgin at the time of her first legal marriage. According to President Rafsanjani, the practice was common among the youth of Iran. Finally, she had wished to raise a question relating to work performed by children. It was stated on page 47 of Mr. Galindo Pohl's report that 12-to-13-year-olds were working in factories in Tehran, often on the night shift. In other cases poverty had forced urban families to sell their daughters for work on farms.

32. Mrs. IDER said that she had not fully understood the answers to the issues raised in paragraph 2 of the working paper, on the incorporation of the Covenant in internal legislation, and on paragraph 6, regarding the rights of foreigners in relation to articles 10 to 15 of the Covenant, and requested clarifications. Turning to the report she said that paragraph 1 (c) quoted article 28 of the Constitution of the Islamic Republic of Iran. She asked what kind of occupation was contrary to Islam and what measures were taken against those who took up such occupations. A careful reading of the report showed that the legal position was given due prominence, but it was not backed up by data. She would like to know how economic, social and cultural rights had actually been implemented. Thus, she requested detailed statistics on the labour force, by sex, by branch and by profession; also on salaries and incomes by sex and by province, and how minorities fared in that regard. On unemployment, she wished to know the percentage of men and women who were unemployed, and also a breakdown of the unemployment figures by nationality.

33. Despite the fact that much legislative detail on education had been provided in the report, by the State party, a full picture still had to emerge. She therefore requested statistics on primary, secondary and higher education, and by gender, nationality and region.

34. She asked whether there was freedom to form trade unions in the Islamic Republic of Iran, what percentage of the workforce was unionized, what

percentage of members of trade unions were women, and what percentage of the women at work were unionized. Was the right to strike given effect? She would like details of any relevant laws.

35. She requested statistics by gender on retirement pensions and subsidies. Did women actually receive a pension and was there any occupation in which women did not receive it despite their entitlement?

36. She approved the provision of the Labour Code mentioned in paragraph 34 of the report, concerning the labour inspectors' right to shut down part or whole of an enterprise they considered dangerous, and asked whether there were many cases of shut-down and whether the provision was strictly implemented. She asked for clarification of the provision in paragraph 35 of the report, which read: "... Employees may be promoted to a higher grade if the following conditions are met:

...

(b) The eligibility of the worker to be promoted."

37. She had listened with great interest to the introductory statement on the realization of the right to culture, but wished for further information on any laws, regulations and agreements to promote the right of all to freedom of scientific research and artistic activity.

38. She also wished for details on measures adopted to provide assistance to professional, scientific and cultural societies, not only those relating to Muslim law. Did such societies exist and how were they helped financially and in other ways?

39. Mr. SIMMA said that the Committee had often confirmed its adherence to one of the premises of the human rights philosophy of the United Nations, namely the indivisibility of and interdependence between economic, social and cultural rights and civil and political rights. In that context, he had a problem in engaging in discourse on matters such as security in the workplace, measures of relief for the poor and so on with the representatives of a political system that grossly violated human rights. More specifically, he wished to deal with the question of the Baha'is. In a debate on the right to education in the Islamic Republic of Iran in the Committee two and a half years earlier, the representative of the State party had expressed the view that the Baha'is were not a religious minority or indeed a minority at all. In his own view, the status of the Baha'i community as a minority was irrelevant, since it was undeniably a part of the population of the Islamic Republic of Iran and the Committee was thus entitled to ask questions about it.

40. Drawing attention to the report on the situation of human rights in the Islamic Republic of Iran by the Special Representative of the Commission on Human Rights, Mr. Reynaldo Galindo Pohl (E/CN.4/1993/41), he noted that paragraph 310 of that document made mention of a circular issued by the Supreme Revolutionary Cultural Council on 25 February 1991 about the Baha'is. Three of the guidelines contained in the circular were that "the Government's

treatment of them [the Baha'is] shall be such that their progress and development shall be blocked", that "employment shall be refused to persons identifying themselves as Baha'is", and that "they shall also be denied positions of influence, for example in the education sector" (para. 310 (a) (iii) and (c) (iii) and (iv)).

41. If such a circular indeed existed, it would qualify as a codification of how to commit a gross violation of the obligations of the Covenant in respect of culture and education. He requested the views of the Iranian delegation on how the content of the circular squared with its Government's obligations under the Covenant.

42. A full reply had not been received to all the issues raised in document E/C.12/1993/WP.11, and he therefore requested a reply to paragraph 10 which read: "Indicate which women's rights that had been 'revived' are being referred to in article 20 (i) of the Constitution", and paragraph 63, which read: "Legislation protecting creative freedom and current situation with regard to the Salman Rushdie case".

43. On the matter of housing he had two questions. Was it true that residents of Bager-Abad, a low-income community outside Tehran, where resistance to forced evictions had originated in August 1991, had been promised by President Rafsanjani, when he visited the area, that the homes of residents in that area would not be demolished? Moreover, when on 30 May 1992, serious disturbances had occurred in the city of Mashad as authorities attempted to evict and demolish a series of low-income dwellings in the community of Koy-ye Tolab, had six persons died, as eyewitnesses reports claimed? Were the families of those persons compensated and were independent judicial inquiries carried out to investigate liability for those deaths?

44. Mr. WIMER ZAMBRANO said that he too had concluded from the documentation available that there had been specific violations of human rights against the Baha'i community. The fact that the Islamic Republic of Iran was qualified to decide on the minority or religious status of that community did not change an outsider's view of the situation. He therefore asked the representative of the Islamic Republic of Iran to explain the phenomenon and give some historical background.

45. Document E/CN.4/1993/41/Add.1 contained replies by the Government of the Islamic Republic of Iran to allegations brought to its attention in the final report by Mr. Galindo Pohl (E/CN.4/1993/41). Paragraph 41 of document E/CN.4/1993/41/Add.1 stated that Baha'ism had not been recognized as a religion and members of the group had no right in that regard. Paragraph 44 (a) stated that the arrest of Mr. Hossein Esfahan (Eshragai) was solely due to the violation of the law banning Baha'i sect propaganda in the Islamic Republic of Iran. Paragraph 46 stated that in accordance with the law the Baha'is had been forbidden to be recruited for government positions.

46. In his view, therefore, violations of the rights of minorities were clearly taking place in the Islamic Republic of Iran.

47. Mrs. AHODIKPE asked whether women in the Islamic Republic of Iran had the same rights of inheritance as men. It was stated in paragraph 199 of the report of Mr. Galindo Pohl (E/CN.4/1993/41) that it had been reported that women could inherit only half as much as men. Did the Iranian Civil Code authorize the marriage of nine-year-old girls? Was parental authority vested solely in the father? Could pregnant women be dismissed from their jobs?

48. Mr. RATTRAY thanked the Iranian delegation for appearing before the Committee, regretted that the Committee had not yet received replies to its many questions and hoped that written replies would be provided.

49. He inquired whether there was any mechanism in the Islamic Republic of Iran that would enable an Iranian citizen or a foreigner to challenge, judicially or otherwise, the rights protected by the Covenant. Had any such challenges been made, and if so had they been successful?

50. Paragraph 1 (c) of the report of the Islamic Republic of Iran (E/1990/5/Add.9) quoted article 28 of the Iranian Constitution, which gave everyone the right to chose any occupation he/she wished. However, paragraph 7 of the report stated that: "... priority in the issuance of work licences is given to those applicants who had completed special training courses". He understood that to mean that in order to pursue some occupations it was necessary to obtain a work licence. How did that square with the right to free choice of occupation?

51. Referring to the unemployment insurance pension scheme described in paragraph 12 of the report, he asked for clarification of the discrepancy between the maximum period of entitlement for unmarried persons and for married persons or persons with dependants, since the number of months for which premiums were paid was the same for both categories.

52. He hoped that written or oral replies could be given to the specific points raised on the situation of certain minority groups that had not been satisfactorily answered at the Committee's fifth session in 1990. Those questions were listed in paragraph 55 (a) to (h) of document E/C.12/1993/WP.11.

53. Mr. GRISSA asked for clarification of the rights of persons of Kurdish, Azerbaijani, Turkish, Arab and Persian origin living in the Islamic Republic of Iran, in particular to employment, travel and to study their own languages and use them in official communications.

54. He drew attention to paragraph 2 (f) of the annex on the situation of women on page 45 of the Iranian report (E/1990/5/Add.9), which stated that according to the Constitution "men cannot remarry without the consent of the first wife, (except in some cases), otherwise the wife would be entitled to demand a divorce (most Iranian men have one wife)". That seemed to leave a wife in a predicament because divorced women usually found it very hard to marry. The human rights of women were thus apparently violated.

55. Mr. KOUZNETSOV said that he regretted that no replies had yet been received to the list of issues raised in document E/C.12/1993/WP.11.

56. Referring to document E/CN.4/1993/41/Add.1, he noted that with a few exceptions, it rejected all the statements appearing in the report of the Special Representative of the Commission on Human Rights (E/CN.4/1993/41). In that connection, he had two points to make. Paragraph 44 (a) of document E/CN.4/1993/Add.1 stated that "The arrest of Mr. Hossein Esfahan (Eshragai) was solely due to the violation of the law banning Baha'i sect propaganda in the Islamic Republic of Iran". That seemed to contradict the assertion in paragraph 44 (c) that "No citizen can be detained merely due to his belief". Moreover, paragraph 41 of the document stated that "Baha'ism has not been recognized as a religion" and paragraph 50 stated that "The Iranian press freely exercises the right to publish different views and perceptions ...". He asked for clarification of those apparent contradictions, for while he could agree that Baha'ism might not be a religion he could not agree that it was not a conviction or a form of thinking. Thus, rejection of Baha'ism as a religion was a refusal of freedom of expression.

57. Mrs. JIMENEZ BUTRAGUEÑO asked for an explanation of the statement to the effect that parental authority was vested in the father. In the event of the father's death, parental authority devolved upon the grandfather. Thus a widowed mother would have no parental authority.

58. The CHAIRPERSON thanked the delegation of the Islamic Republic of Iran for appearing before the Committee.

59. Speaking as a member of the Committee, he asked how freedom of teaching was guaranteed at all levels for majority groups and so-called minorities, whatever their religious belief.

60. He greatly regretted that the documentation made available to the Committee confirmed the broad consensus that there had been practically no progress in ensuring greater respect for the human rights of religious communities in the Islamic Republic of Iran. The report of the Special Representative of the Commission on Human Rights (E/CN.4/1993/41) referred not only to persecution of members of the Baha'i community but also of members of the Christian community in that country. He hoped that the delegation of the Islamic Republic of Iran would be able to provide information that would give hope for improvement in the situation of freedom of conscience in its country. Any written information that the delegation could provide would also be welcome.

The meeting rose at 6 p.m.